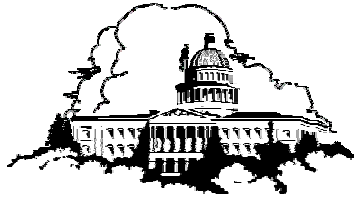


Assembly Speaker pro Tempore
Christine Kehoe
Chair

Senator Sheila James Kuehl
Assemblymember Jackie Goldberg
Assemblymember John Laird
Assemblymember Mark Leno



P.O. Box 924849
Sacramento, CA 94249-0076
(916) 319-2076
FAX (916) 319-2176
LGBT.Caucus@assembly.ca.gov

Eric Astacaan
Consultant

CALIFORNIA LEGISLATIVE LESBIAN, GAY, BISEXUAL, & TRANSGENDER (LGBT) CAUCUS

2003 California Legislative Session Partial List of Bills That Affect LGBT Californians (As of October 17, 2003 - Newly Enacted Laws with Asterisks)

LGBT Caucus' Legislative Priorities:

AB 17 (Kehoe)* - Equal Benefits in State Contracts - Prohibit a state agency from entering into a contract worth \$100,00 or more with businesses that discriminate in providing employment benefits between an employee with a spouse and an employee with a registered domestic partner.

Sponsor – Equality California (formerly CAPE)

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 752, Statutes of 2003) - Effective Date: January 1, 2007

AB 196 (Leno)* - Gender Nondiscrimination Bill – Prohibit gender-based discrimination in employment and housing.

Sponsor – Equality California (formerly CAPE)

Status – Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 164, Statutes of 2003) - Effective Date: January 1, 2004

AB 205 (Goldberg)* – Domestic Partner Rights and Responsibilities Act of 2003 – Expand significantly the rights and responsibilities currently provided to registered domestic partners and their families to include nearly all the legal rights, benefits, responsibilities, duties, and obligations under state law currently available only to spouses.

Sponsor – Equality California (formerly CAPE)

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 421, Statutes of 2003) - Effective Date: January 1, 2005

AB 458 (Chu)* - Foster Youth Anti-Discrimination Act of 2003 – Extend the rights of a foster child to have fair and equal access to all services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, or mental or physical disability. This bill would also require training for administrators, licensing personnel, licensed foster parents, and relative caretakers to include training about this right.

Sponsor – National Association of Social Workers, California Chapter

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 331, Statutes of 2003) - Effective Date: January 1, 2004

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Other Bills Affecting LGBT Californians:

AB 18 (Leno) – Amend the State Civil Service Act to include physical disability, medical condition, mental disability, gender, and sexual orientation as prohibited bases of discrimination.

Status: In Assembly Judiciary Committee.

AB 23 (Nation) - Clarify that there is no change of ownership that would trigger property tax re-assessment if the transferor or transferors, after the creation or transfer of the joint tenancy interest, either become the joint tenants or are among the joint tenants.

Status: Held in Senate Appropriations Committee.

AB 76 (Corbett)* - Make it unlawful for an employer to fail to take immediate and appropriate corrective action to prevent sexual harassment of an employee by ANY non-employee, once the employer knows or should have known of this conduct.

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 671, Statutes of 2003) – Effective Date: January 1, 2004

AB 266 (Mullin)* – Authorize the San Mateo County Board of Supervisors to elect to phase-in survivors' allowances and death benefits to surviving domestic partners of county employees through collective bargaining process and based on actuarial cost estimates.

Status – Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 79, Statutes of 2003) – Effective Date: January 1, 2004

AB 661 (Hancock) - Permit the administration of anonymous tests, questionnaires, surveys, examinations, or other writings that contain questions about a pupil's personal beliefs or practices in sex, morality, or religion if the pupil's parent or guardian has had an opportunity to decline the pupil's participation after receiving written notice of the subject matter, and an opportunity to visit the school to review a complete copy of the test, questionnaire, survey, examination, or other writing. Also permit the administration of an anonymous test, questionnaire, survey, examination, or other writing regarding discrimination without the notification or consent of the pupil's parent or guardian.

Status: Passed Assembly Education Committee, 8-3. Sent to Assembly inactive file.

AB 685 (Leno) – Authorize an unlicensed HIV counselor, as defined, to perform venipuncture or skin puncture to perform a rapid HIV test. (Urgency Bill)

Status: Awaiting Assembly concurrence to Senate amendments.

AB 879 (Koretz)* – Require the Office of AIDS to convene a task force to develop guidelines for the use of post-exposure prophylaxis (PEP) in the general population for the prevention of HIV infection.

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 746, Statutes of 2003) – Effective Date: January 1, 2004

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AB 946 (Berg) – Authorize local jurisdictions to develop clean needle and syringe exchange projects.

Status: Vetoed by Governor Gray Davis, October 9, 2003.

AB 950 (Haynes) – Prohibit educational instruction on the subject of human sexuality without the prior written consent of a pupil's parent or guardian, provided for each incidence of instruction.

Status: In Assembly Education Committee

AB 987 (Leslie) – Require DMV to issue special pediatric AIDS research and care license plates, with the proceeds to fund pediatric AIDS research and care in California.

Status: Passed the Assembly, 73-0. To Senate for its consideration.

AB 1082 (Laird)* - Authorize a contracting agency, that adopted a local definition of domestic partnership and that provided health care benefits for members of those domestic partnerships before contracting with CalPERS, to provide health care benefits to those domestic partners after contracting with the system.

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 764, Statutes of 2003) – Effective Date: January 1, 2004

AB 1250 (Laird)* – Authorize the use of staff and teacher development program grant to include intolerance and bias prevention training.

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 346, Statutes of 2003) – Effective Date: January 1, 2004

AB 1327 (Wyland) – Limit the applicability of the paid family leave to businesses that employ 50 or more individuals within a 75-mile radius of the worksite of the individual requesting leave. Require an individual, to be eligible for the benefits, to work at least 1,250 hours during the 12-month period prior to the period for which the individual is requesting the family temporary disability leave.

Status: Failed passage in Assembly Insurance Committee, 6-9. Reconsideration granted.

AB 1520 (Kehoe) - Create a commission, which would be given the authority for the design, construction, dedication, and selection of a location of the LGBT Veterans' Memorial. The Commission would be made up of appointees of the Governor and the Legislature who would serve without pay. Funding for the Commission and the memorial would come entirely from private contributions. Authorize commission to designate an existing memorial as California's LGBT Veterans' Memorial.

Status: Held in Assembly Veterans Affairs Committee (Two-year bill)

AB 1671 (Chu) – (Spot Bill) Intent language to require the Commission on Peace Officer Standards and Training to develop a standardized method of identifying and reporting hate incidences.

Status: Read first time.

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AB 1676 (Dutra)* - Require HIV testing of pregnant women with an opt-out provision as well as mandatory pre- and post-test counseling.

Status: Passed the California Legislature and approved by Governor Gray Davis' approval.
(Chapter 749, Statutes of 2003) – *Effective Date:* January 1, 2004

ACR 59 (Pacheco) - Recognize Boy Scouts who earn the rank of Eagle Scout, promote the brotherhood of scouting across international boundaries as a model of leadership, character, and honor, and provide a solid foundation and common thread to unite persons worldwide.

Status: Failed in Assembly Judiciary Committee, 0-4. Reconsideration granted.

ACR 85 (Kehoe) - Recognize and commend "The Respect for All Project."

Status: Passed the California Legislature and chaptered by the Secretary of State.
(Resolution Chapter 118, Statutes of 2003)

ACR 89 (Goldberg) – Commend the Boy Scouts of America and encourage the organization to accept for membership and leadership positions all qualified boys and men, without discriminating on the basis of sexual orientation or religious belief.

Status: Passed the California Legislature and chaptered by the Secretary of State
(Resolution Chapter 118, Statutes of 2003)

ACR 108 (Kehoe) - Declare by the California Legislature June 2003 as Lesbian, Gay, Bisexual, and Transgender Pride Month.

Status: Approved by the California Assembly, 42-28. To Senate for its consideration.

AJR 34 (Koretz) - Memorialize the President and the Congress to pass the Local Law Enhancement Act of 2003, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes.

Status: Passed the California Legislature and chaptered by the Secretary of State.
(Resolution Chapter 110, Statutes of 2003)

HR 32 (Kehoe) - Recognize by the California Assembly June 15, 2003 as Father's Day.

Status: Adopted by the Assembly, 42 - 24.

SB 2 (Burton)* - Establish the Health Insurance Act of 2003 to provide health coverage to specified individuals (and in some cases their dependents including domestic partners) who do not receive job-based coverage and who work for large and medium employers, as defined.

Status: Passed by the California Legislature and approved by Governor Gray Davis.
(Chapter 673, Statutes of 2003) – *Effective Date:* January 1, 2006

SB 71 (Kuehl)* - Consolidate provisions in the Education Code to establish the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act. The act would authorize school districts to provide comprehensive sexual health education, as defined, in K - 12, inclusive, and would require school districts to ensure that all pupils in grades 7 to 12, inclusive, receive HIV/AIDS prevention education, as defined. The bill would also make

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conforming changes to related provisions of law and make technical non-substantive changes to some of those provisions.

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 650, Statutes of 2003) – Effective Date: January 1, 2004

SB 85 (Torlakson)* – Allow any county (4 of the 20 counties already have the authority) that is subject to the 1937 County Employees Retirement Law to extend death benefits and survivor's allowances to the surviving domestic partners of county employees, provided the county board of supervisors approved the policy.

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 780, Statutes of 2003) – Effective Date: January 1, 2004

SB 267 (Knight) – Require the Dept. of Health Services to develop and implement an abstinence education program that would maximize federal financial participation

Status: Failed passage in Senate Health & Human Services Committee, 2 – 8.
Reconsideration granted.

SB 295 (Vasconcellos)* – Eliminate the 3-year duration limit and extend indefinitely the California Marijuana Research Program at the University of California.

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 704, Statutes of 2003) – Effective Date: January 1, 2004

SB 420 (Vasconcellos)* – Require the Dept. of Health Services to establish a voluntary program for the issuance of ID cards to qualified patients and establish procedures under which qualified patients with ID cards may use marijuana for medical purposes.

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 875, Statutes of 2003) – Effective Date: January 1, 2004

SB 719 (Kuehl)* - Require the School / Law Enforcement Partnership Program to sponsor biannual, statewide conferences to identify programs and techniques that have been effectively utilized to reduce crimes and violence in school including hate crimes, discrimination, and harassment. Require the statewide school safety cadre to provide ongoing training and technical assistance to the cadre representatives in enabling them to initiate and maintain safety programs. Delete reporting requirements to the Legislature and instead require the partnership to assess the effectiveness of these programs.

Status: Passed the California Legislature and approved by Governor Gray Davis.

(Chapter 828, Statutes of 2003) – Effective Date: January 1, 2004

SB 872 (Alarcon) – Provide that a proof of hate crime conviction would create a conclusive presumption in the victim's private cause of action against the convicted defendant.

Status: In Senate Judiciary Committee

SCA 5 (Speier) - Authorize the board of supervisors of a county to adopt an ordinance to exclude, from classification as a "purchase" or "change in ownership," the transfer of an ownership interest in a principal residence located within that county between co-owners of

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that residence, if those parties co-owned and continuously resided in the residence for a period of 3 years immediately preceding the transfer and the transfer occurs on or after January 1, 2005, by reason of the death of the transferor.

Status: In Senate Revenue & Taxation Committee

SCR 11 (Soto) – Urge CalPERS, as shareholders of drug companies that produce HIV/AIDS drug treatments, to introduce shareholders resolution calling on drug companies to provide HIV/AIDS drug treatments affordable to those infected in lesser developed countries.

Status: Adopted by the California Legislature and chaptered by the Secretary of State.

(Resolution Chapter 111, Statutes of 2003)

To see text of each bill, please visit the Legislative Counsel's website at **<http://www.leginfo.ca.gov/bilinfo.html>**. Any questions please contact Eric Astacaan at 916-319-2076 or **eric.astacaan@asm.ca.gov**.

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